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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA
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7 UNITED STATES OF AMERICA,

8 Plaintiff,

9 vs.

10 JUSTIN ANTHONY FISHER and
11 JOSHUA RAY FISHER,

12 Defendants.

Case No. 2:17-cr-00073-APG-GWF

ORDER

13 This matter is before the Court on Defendants’ Motion for Court Order to Allow the
14 Defendants to Inspect All Property and Material in the Possession of the Government (ECF No. 77),
15 filed on February 21, 2018. The Government filed a Response (ECF No. 80) on March 6, 2018.
16 Defendants did not file a reply.

17 Defendants request an order allowing them to be removed from the detention facility and
18 transported to the Internet Crimes Against Children (“ICAC”) lab to inspect all property and
19 material in the possession of the Government related to their case. Defendants’ counsel states that
20 the Defendants themselves must view this material because “[i]t is they who are most
21 knowledgeable in reference to certain of the materials but more critically the types of social media
22 which the government alleges was being utilized by the respective Defendants.” *Motion* (ECF No.
23 77), 1:25-27. The Government argues that Defendants’ request is moot because it has agreed to
24 bring all materials and property in its possession, including contraband, to Defendants at the Nevada
25 Southern Detention Center. Moreover, the Government asserts that it is willing to “make an agent
26 available for as much time, and as many times as necessary,” to facilitate Defendants’, their
27 counsels’ and their experts’ review of the material.

28 . . .

1 In light of the Government's representations (and Defendants failure to file a reply that
2 indicates that they disagree with the Government's offer), the Court will deny Defendants' request
3 for transportation to the ICAC lab. However, the Court grants Defendants' motion to the extent that
4 Defendants request the ability to personally inspect all property and material in the Government's
5 possession other than images of child pornography. Accordingly,

6 **IT IS HEREBY ORDERED** that Defendants' Motion for Court Order to Allow the
7 Defendants to Inspect All Property and Material in the Possession of the Government (ECF No. 77)
8 is **denied**, in part, and **granted**, in part, as discussed herein.

9 **IT IS FURTHER ORDERED** that the hearing scheduled for March 28, 2018 at 9:30 a.m.
10 is **VACATED**.

11 DATED this 15th day of March, 2018.

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14 GEORGE FOLEY, JR.
United States Magistrate Judge
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